

**Before the
Federal Communications Commission
Washington, D.C. 20554**

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|---|---|----------------------|
| In the Matter of |) | |
| |) | |
| Service Rules for the 698-746, 747-762 |) | WT Docket No. 06-150 |
| and 777-792 MHz Bands |) | |
| |) | |
| Revision of the Commission's Rules to |) | CC Docket No. 94-102 |
| Ensure |) | |
| Compatibility with Enhanced 911 |) | |
| Emergency |) | |
| Calling Systems |) | WT Docket No. 01-309 |
| |) | |
| Section 68.4(a) of the Commission's |) | |
| Rules |) | WT Docket No. 03-264 |
| Governing Hearing Aid-Compatible |) | |
| Telephones |) | |
| |) | |
| Biennial Regulatory Review – |) | |
| Amendment of Parts 1, 22, 24, 27, and |) | WT Docket No. 06-169 |
| 90 to Streamline and Harmonize |) | |
| Various Rules Affecting Wireless Radio |) | |
| Services |) | |
| |) | |
| Former Nextel |) | PS Docket No. 06-229 |
| Communications, Inc. Upper |) | |
| 700 MHz Guard Band Licenses |) | |
| and Revisions to Part 27 of the |) | |
| Commission's Rules |) | WT Docket No. 96-86 |
| |) | |
| Implementing a Nationwide, |) | |
| Broadband, Interoperable |) | |
| Public Safety Network in the |) | |
| 700 MHz Band |) | |
| |) | |
| Development of Operational, Technical |) | |
| and Spectrum Requirements for |) | |
| Meeting Federal, State and Local Public |) | |
| Safety Communications Requirements |) | |
| Through the Year 2010 |) | |

COMMENTS OF ____NORTH CAROLINA STATE HIGHWAY PATROL
(MICHAEL T. HODGSON, REGION 31 700 MHZ CHAIRMAN)_____

_____ hereby submits these reply comments in response to the Commission's *Further Notice of Proposed Rulemaking* in the above-captioned proceedings.

The North Carolina State Highway Patrol and in particular the Region 31 700 MHz Chair continues to support the flexibility at the regional planning level to make the determinations regarding wideband or broadband flexibility within the currently defined 700 MHz public safety spectrum.

North Carolina currently operates one of the largest statewide private data networks within the 800 MHz band and serves well over eleven thousand users. We believe that dedicated local agency systems are a very viable option and that hindering the local and state abilities to decide a migration path for our current systems to the next generation is detrimental to officer safety and our ability to deliver a cost effective product to our current and potential public safety user base. The system that we currently have in place is a true, statewide network and one that delivers coverage to all of the state's one hundred counties, encompassing forty four thousand square miles. Given the fact that cellular and PCS service continues to be unavailable in many areas of the state, we finds it very difficult to believe that a commercial data carrier would even approach the current level of voice service penetration across the state, let alone a fully statewide network. Public Safety

operations are truly statewide and often do not follow major thoroughfares or population centers. With this in mind we urge the Commission to stay the course of following through with the already established rules governing operations with the public safety portion of the 700 MHz frequency plan and to not be influenced by grandiose ideas of commercial entities whose systems may well be inadequate in the long run or take so long to construct that current and potential users are left without an effective technology solution.

Respectfully submitted,

Michael T. Hodgson, Region 31 700 MHz Chairman, North Carolina State Highway
Patrol

23 May, 2007